## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VAMSIDHAR R. VURIMINDI : CIVIL ACTION

:

V.

No. 09-5976

DAN ACHEK, et al. :

## <u>ORDER</u>

AND NOW, this 27th day of August, 2010, the following is ordered:

1. The "Motion for Leave to File Plaintiff's Amended Complaint" (docket no. 22) is denied as moot.

2. "Defendant, Juliet Whelan, AIS's Motion to Dismiss Plaintiff's 3<sup>rd</sup> Amended Complaint" (docket no. 18) and the "Motion of Defendants Achek and Elkhansa and Achek Design to Dismiss Plaintiff's Latest Amended Complaint Deemed Filed January 26, 2010, for Failure to State a Claim Upon which Relief can be Granted, and to Strike Redundant, Immaterial, Scandalous and Impertinent Matter" (docket no. 20) are granted.

Plaintiff's amended complaint is dismissed without prejudice. By Friday, September 10, 2010, plaintiff may file another amended complaint. If plaintiff files another amended complaint, it will be titled "First Amended Federal Court Complaint," and he shall serve it upon all parties in accordance with the Rules of Civil Procedure, and shall file proof of service. A memorandum accompanies this order.

BY THE COURT:

/s/ Edmund V. Ludwig Edmund V. Ludwig, J.